



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

JUL 15 2014

Ms. Genevieve LaRouche, Field Supervisor
U.S. Fish and Wildlife Service
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, Maryland 21401

Dear Ms. LaRouche:

The U. S. Environmental Protection Agency (EPA) has completed its review of Maryland's proposed revised Water Quality Standards (WQS) regulation. On May 31, 2013, the Maryland Department of the Environment (MDE) published in the Maryland Register 35(5) the Advance Notice of Proposed Rule Making (ANPRM) to amend the Code of Maryland Regulation (COMAR). MDE did not hold any public meetings regarding this informal ANPRM process. EPA did provide comments on August 7, 2013. MDE published in the Maryland Register on December 13, 2013, proposed revisions to their WQS. MDE conducted a public hearing on January 7, 2014. EPA reviewed and provided comment to these revisions January 13, 2014. On April 18, 2014, the Maryland Register published notice of the adoption of these regulations. EPA received the Maryland WQS Triennial review package for our approval in June 24, 2014. EPA Region III will likely approve, in accordance with Section 303(c) of the Clean Water Act (CWA), specific sections of Maryland's WQS that were new or revised in that adoption.

In order to fulfill our obligation under Section 7 of the Endangered Species Act (ESA), we prepared the enclosed Biological Evaluation to ensure that our action will not adversely affect Federally-listed threatened and endangered species, and their critical habitat. Based on the findings in the enclosed Biological Evaluation, EPA concludes that Maryland's adoption of new or revised regulations for aquatic life water quality criteria may affect but are not likely to adversely affect listed species in Maryland. The purpose of this letter is to formally submit and seek concurrence from the U.S. Fish and Wildlife Service on the Biological Evaluation. We hope we can obtain the Service's concurrence through informal consultation.

We ask that you respond to this letter as soon as possible, but in no case later than August 4, 2014. We look forward to an early reply to this letter and a favorable response to your